

REMARKS

The Office Action mailed January 25, 2006 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

I. Claims Summary

Claims 15-36 and 49-65 are currently pending in the application, with claims 15, 26, 49, and 58 being independent claims. Claims 1-14 and 37-48 are cancelled; claims 49-65 are added; and claims 15 and 26 are amended, in accordance with the above amendments.

II. Office Action Summary

The following claim rejections were submitted by the Examiner in the outstanding Office Action:

- Claims 1, 7, 11, 15-16, 18, and 23-24 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,918,198 to Chi;
- Claims 1-2, 7-12, 14-24, 26-37, 39-41, 43-44, and 47 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 6,009,637 to Pavone (hereafter referred to as Pavone I);
- Claims 1-2, 7-14, 26, 28, 31, and 33 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 6,192,606 to Pavone (hereafter referred to as Pavone II);
- Claims 37-41 and 48 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 4,936,029 to Rudy;
- Claims 37-42 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 4,123,855 to Thedford;
- Claims 3-6, 27, 32, 35-36, 45-46, and 48 are rejected under 35 U.S.C. §103(a) as being unpatentable over a combination of Pavone I and U.S. Patent Number 4,817,304 to Parker, et al.; and
- Claim 25 is rejected under 35 U.S.C. §103(a) as being unpatentable over a combination of Chi and U.S. Patent Number 4,722,131 to Huang.

III. Discussion of Claims 15-25

Independent claim 15 recites a sole component for an article of footwear. The sole component includes a bladder and a reinforcing structure. The bladder is formed of a barrier material that encloses a pressurized fluid, and the bladder includes a first surface, an opposite second surface, and a sidewall extending between the first surface and the second surface. The sidewall includes a plurality of depressions extending from the first surface to the second surface. The reinforcing structure is secured to the bladder and extends at least partially around the bladder. A portion of the reinforcing structure is positioned within the depressions and bonded to the depressions. The portion of the reinforcing structure positioned within the depressions extends from the first surface to the second surface.

The Office Action rejects independent claim 15 as being anticipated by Chi. Referring to Figure 4 of Chi, a cross-sectional view of a bladder partially surrounded by an outsole is depicted. Each side of the bladder has an indented area that is approximately centered between upper and lower surfaces of the bladder, and the outsole extends into the indentations. Whereas independent claim 15 recites depressions extending from the first surface to the second surface, the indentations of Chi do not extend from the upper surface to the lower surface. That is, the indentations of Chi are spaced from the upper surface and the lower surface of the bladder.

The Office Action also rejects independent claim 15 as being anticipated by Pavone I. With reference to Figure 5 of Pavone, an exploded perspective view of a shoe sole including a bladder is depicted. The bladder includes various indentations that extend upward from a lower surface of the bladder, but the indentations do not extend to an upper surface of the bladder. Rather, the indentations terminate prior to reaching the upper surface. As noted in the discussion of Chi, independent claim 15 recites depressions extending from the first surface to the second surface. This structure is neither taught nor suggested by Pavone I.

Based upon the above discussion, the Applicants respectfully submit that independent claim 15 is allowable over both of Chi and Pavone I. Claims 16-24 should also be allowable for at least the same reasons, and claim 25 should be allowable as Huang does not remedy the deficiencies of Chi and Pavone I.

IV. Discussion of Claims 26-36

Independent claim 26 recites a sole component for an article of footwear. The sole component includes a bladder and a reinforcing structure. The bladder is formed of a barrier material that encloses a fluid, and the bladder has a first surface and an opposite second surface. A spacing between the first surface and the second surface is greater in a heel region of the bladder than in a forefoot region of the bladder. The bladder also has a first width in the heel region and a second width in the forefoot region, the first width being less than the second width. The reinforcing structure is secured to the bladder and extends at least partially around the bladder. In addition, the reinforcing structure extends from the first surface to the second surface in the heel region and only partially from the first surface to the second surface in the forefoot region.

The Office Action rejects independent claim 26 as being anticipated by Pavone I. In addition to a bladder, Pavone I discloses a support structure that extends around the bladder and into indentations of the bladder. In each of the heel region and the forefoot region, the support structure extends entirely between an upper surface and a lower surface of the bladder. Although the support structure defines various apertures (see reference numerals 20-22), the support structure has areas that extend entirely between the upper surface and the lower surface in each of the heel region and the forefoot region. In contrast with Pavone I, independent claim 26 recites that the reinforcing structure extends only partially from the first surface to the second surface in the forefoot region.

The Office Action also rejects independent claim 26 as being anticipated by Pavone II. As with Pavone I, Pavone II discloses a support structure that extends around a bladder, and the support structure has areas that extend entirely between the upper surface and the lower surface in each of the heel region and the forefoot region. In contrast with independent claim 26, therefore, Pavone II does not teach or suggest a reinforcing structure extending only partially from a first surface to a second surface in the forefoot region.

Based upon the above discussion, the Applicants respectfully submit that independent claim 26 is allowable over both of Pavone I and Pavone II. Claims 27-35 should also be allowable for at least the same reasons, and claims 27, 32, and 35 should be allowable as Parker does not remedy the deficiencies of Pavone I and Pavone II.

V. Discussion of Claims 49-57

Independent claim 49 recites a sole component for an article of footwear. The sole component includes a bladder and a reinforcing structure. The bladder is formed of a barrier material that encloses a fluid, and the bladder includes a first surface and an opposite second surface. The bladder has at least one elongate flexion indentation formed in the second surface such that a space is formed between the indentation and the first surface. The space includes the fluid. The reinforcing structure is secured to the bladder in a position that is adjacent the first surface and absent from the indentation.

As with cancelled independent claim 1, independent claim 49 recites the presence of a flexion indentation formed in the second surface. Accordingly, independent claim 49 will be discussed with reference to Chi, Pavone I, and Pavone II. Each of Chi, Pavone I, and Pavone II disclose a bladder with various indented areas or depressions. In addition, each of Chi, Pavone I, and Pavone II disclose a structure extending around the bladder, and the structure extends into the indented areas or depressions. According to independent claim 49, however, the bladder includes an indentation and the reinforcing structure is absent from the indentation.

Based upon the above discussion, the Applicants respectfully submit that independent claim 49 is allowable over each of Chi, Pavone I, and Pavone II, and claims 50-57 should be allowable for at least the same reasons.

VI. Discussion of Claims 58-65

Independent claim 58 recites a sole component for an article of footwear. The sole component includes a bladder and a reinforcing structure. The bladder is formed of a barrier material that encloses a fluid, and the bladder has a first surface and an opposite second surface. The barrier material has a first degree of stiffness. The reinforcing structure is secured to the bladder and extends at least partially around the bladder. The reinforcing structure also extends from the first surface to the second surface in the heel region and only partially from the first surface to the second surface in the forefoot region. In addition, the reinforcing structure has a second degree of stiffness, the first degree of stiffness being less than the second degree of stiffness.

As with independent claim 26, independent claim 58 recites that the reinforcing structure extends only partially from the first surface to the second surface in the forefoot region.

Accordingly, the arguments presented above for independent claim 26 also apply to independent claim 58. The Applicants respectfully submit, therefore, that independent claim 58 is allowable over both of Pavone I and Pavone II, and that claims 59-65 should be allowable for at least the same reasons.

VII. Conclusion

In view of the foregoing, the Applicants respectfully submit that all claims are in a condition for allowance. The Applicants respectfully request, therefore, that the rejections be withdrawn and that this application now be allowed.

This Amendment is being timely filed by facsimile transmission on May 12, 2006. Should fees be deemed necessary for consideration of this Amendment, such fees are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for payment. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

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